Uganda Christian University

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Ugandan Reader’s Guide to Michael Schutt’s "Redeeming Law"

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Ugandan Reader’s Guide to Michael Schutt’s *Redeeming Law*

by

Brian Dennison and Patricia Johnson

**PREFACE**

Dear Uganda Christian University Law Student,

Many of the class materials you are asked to read were not written for the Ugandan context. However, just because they were not written for this context does not mean those materials cannot be very helpful.

Such is the case with Michael Schutt’s 2007 book *Redeeming Law*. *Redeeming Law* was written with American law students and American lawyers in mind. The book was not written for aspiring advocates in Uganda.

Nonetheless, *Redeeming Law* has value that cuts across legal cultures. The book addresses the challenges faced by Christians who enter the legal profession. It discusses relevant matters such as calling, community and integrity from a Christian perspective. Most importantly it provides guidance, inspiration and perspective for people who strive to be genuine Christian lawyers. The author’s core content is just as relevant in the Uganda setting as it is in the United States.

We created this *Reader’s Guide* with the Ugandan law student in mind. This *Reader’s Guide* to help improve your experience of reading *Redeeming Law* by: 1) helping you navigate your way through possible cultural disconnects; 2) supplementing the text with content relevant to the Ugandan context; and 3) providing you with journaling topics that will enable to engage with the material in a meaningful way.

This *Readers Guide* includes “Chapter Guides” for all of the chapters in *Redeeming the Law* appearing on the *Ethics in Legal Practice* course outline. In addition it includes “Chapter Notes” for chapters not appearing in the course outline. The “Chapter Notes” are designed to assist students who choose to read the unassigned chapters.

The “Chapter Guides” are broken down into three sections. These sections are designed to accomplish the three primary objectives of the *Reader’s Guide*. “Chapter Guides” begin with a section entitled “Before you Read.” This section helps to alert you to aspects of the chapter that you might find confusing due to social and cultural differences. Next there is a section called “For God and My Country.” This section points and considerations that are of particular importance in the Ugandan context. Finally, each “Chapter Guide” ends with a “Journal Entry Assignment” designed to help you to process and apply the content from the applicable chapter.

We hope you find this *Reader’s Guide* helpful and that it enables you to better engage with *Redeeming the Law*.

*To God be the Glory!*
Chapter Notes on Chapter 1: *The Lost Lawyer*

Chapter 1 is not required reading in the course. In fact Chapter 3 is the only chapter that is required reading in the first four chapters. Nonetheless many of you may choose to read Chapters 1, 2 and 4 for your own edification or in order to get a better sense of the book for the assigned readings. Others of you might decide to read Chapters 1, 2 and 4 simply because you enjoy the book. As a result we have included short notes on these Chapters in this *Reader’s Guide*.

Chapter 1 sets the stage for the rest of *Redeeming Law*. It discusses the problem of Christian law students and lawyers losing their sense of Christian mission in the law.

The American law school is full of deconstruction. American law professor often pick apart the ideas and positions of the students in class. Spending three years in such an environment can breed cynicism. A student’s faith can be tested.

In Uganda our law schools are not based on intellectual deconstruction. However, law school in Uganda is a busy time that places an emphasis on cramming law and information into one’s brain for exams. Participation in this type of intellectual exercise can cause students to feel that moral and ethical matters are largely irrelevant. In addition, the sheer busyness of the Ugandan law school experience can have a negative impact on a student’s spiritual walk.

The practice of law in the United States poses similar challenges as the American law school setting. American lawyers practice in a legal culture where their strongest obligation is to the client. Many American lawyers do not take any moral agency for the tasks they take on for their clients. In addition, young advocates in large firms can feel ethically disconnected as they are asked to do whatever the big firm and their clients ask of them. They often feel stripped of any moral purpose.

In many ways legal practice in Uganda is different than American legal practice. Ugandan chambers are smaller than American law firms. Most Ugandan advocates make their living representing individuals and small businesses as opposed to large corporations. Moreover, in Uganda the advocate is not as beholden to the client. Ugandan advocates owe a strong duty to the court as well as other stakeholders. However, the lack of good legal work in Uganda tends to make many advocates take any work they can get. Also, the lack of entry level work for advocates exiting the Law Development Centre causes many young advocates to take any job they can get regardless of the moral character of their employer. The resulting effect is a sense that Ugandan advocates must disengage from moral concerns if they are going to make a living. Thus the Christian advocate in Uganda faces similar challenges as the Christian advocate in the United States.
Chapter Notes on Chapter 2: *The American Law School Experience*

In addition to the focus on intellectual deconstruction discussed above, the typical American law school experience differs from the Ugandan experience with respect to performance pressure.

In most American law schools, students are pitted against each other. Lecturers are held to a “curve” where they are limited in terms of the percentage of A’s, B’s that they can give the students.

In Uganda grades are “tight” but students are not graded on a curve. Instead grades are to be given based on an objective standard pursuant to a marking guide. There is pressure to make “first class” (although quite rare), finish upper second, finish lower or just simply pass. However, Ugandan students typically do not see their fellow students as threats to their academic goals who they must outperform.

Moreover, the consequences for low average grades or below average grades are not as serious in the Ugandan setting. In American law schools a low performing student will have a very difficult time getting favourable employment right out of law school. Jobs are definitely allocated based on how one ranks against one’s peers.

Of course we know that jobs are more difficult to come by in Uganda. However, the key for Ugandan law students is that gain entry to Law Development Centre and pass once they are there. How one performs relative to other students in an undergraduate law class does not have huge ramifications on one’s future success and employable.

Another interesting dynamic in the American law school system is that the first year is the most important year. A student’s performance in their first year is the most determinative factor in obtaining favourable employment out of law school. Therefore, the competitive tension is felt from the very beginning of the process.
Chapter Guide on Chapter 3: *Vocation and the Local Church*

**Before You Begin**

This chapter is not that America-centric. Many of the references in the chapter speak to the wider sweep of Protestant Christianity. Because this information is unknown to many American law students, Michael Schutt provides a generous dose of context and background concerning this Protestant legacy.

There is a reference to a “graffiti theory” in the context of shallow grounds for justifying work in the Christian context. Graffiti is the name given to art and writing that people put on walls and signs without permission.

**For God and My Country**

Schutt spends some time in this chapter talking about “self-actualization” and the widespread belief in the United States that work should fulfill and define us. In Uganda we place less of an emphasis on work as a source of fulfillment. Instead we see a good job as source of income that is difficult to obtain. In Uganda we also tend to value the status that comes with certain jobs.

Treating job as primarily a source of money and status also runs counter to the doctrine of vocation. It is important to know that your job is something that you are called to do. It is also important to view one’s work as something that is valuable to God and that enables us to serve others. If we remember these principles we are better equipped to avoid developing an distorted approach to work.

**Journal Entry Assignment**

Unlike the other chapters you are to read for this book there are is not journal entry assignment for Chapter 3. That is because Chapter 3 will be addressed in the general lecture setting. Other assigned chapters will be addressed in the tutorial formal where course work and exercises will be performed and assessed.
Chapter Notes on Chapter 4: *Thinking About Lawyering*

Chapter 4 is probably the most “American” of all of the chapters in the book. The following are short treatments of some of the references appearing in this chapter that you might not fully understand or appreciate.

**Mark Noll’s *The Scandal of the Evangelical Mind***: This is a seminal work in late 20th Century Christian academia and American Christian culture. The book addresses the tendency of evangelical protestants to not engage in meaningful advanced studies and research based on the tendency of American evangelical protestants to disengage with all idea that are viewed as a potential threat to Biblical inerrancy. Another idea behind the book is that evangelical Protestants are overly concerned with salvation and not as concerned about how Christians live in the world.

**American Celebrity Lawyers**: Schutt addresses a certain brand of American lawyer that has risen to prominence. These are the Johnny Cochran’s, Gerry Spence’s, and Alan Dershowitz’s of the world. The adversarial advocate who earns his high pay by winning cases no matter how guilty their client might be. They are appreciated for their skill and effectiveness and not for the causes they represent.

**Atticus Finch**: Finch is a fictional lawyer that was a lead character in the book and movie *To Kill a Mockingbird*. In the book/movie Finch, who is white, takes on the case of an African American man in the charged racial atmosphere of mid-20th Century Mississippi. Finch nobly represents his client in the face of social pressure and death threats. Finch is also know for his wisdom and his steady passion. Many Americans view Atticus Finch as an archetype of the very best of what a lawyer can be.

**Judge Richard Posner**: Posner is a famous jurist who is known for his economic approach to legal reasoning. For Posner morality and ethics are too “soft” for him to take seriously. He prefers to assess the rightness or wrongness of propositions based of the net effect to society and the parties to a transaction.

**Pluralism in America**: In the United States there is a far greater emphasis on “political correctness” where there is a taboo associated with saying things that could be construed as disparaging about minority groups. In terms of pluralism there is a anti-majority movement that acts as a check on the dominance of Christianity in a majority Christian nation. Here in Uganda this social dynamic does not really exist and dominant faiths are permitted to play a major role in the public sphere without any real social or legal limitation. However, the authors have noted an attempt by some to adopt a more American-like approach in certain situations and scenarios. One can expect that this social current will grow in Uganda over time.
Chapter Guide on Chapter 5: *Integrity*

**Before You Begin**

This Chapter does require any contextualization for the Ugandan reader.

**For God and My Country**

In Uganda we understand the importance of structural integrity. The news is full of stories of buildings that collapse for various reasons such as the quality of cement, lack structural reinforcement and poor design. In Uganda we learn that there are many reasons why a building can fail. This is also the case with personal integrity. Satan has many ways of causing us to fall.

It is interesting that Michael Schutt uses Job as his Biblical example of a man of integrity. Job was someone who refused to take the easy way out. Job absolutely refused to say something that was not true just to appease others.

Job is a excellent model and source of inspiration within the Ugandan context. As we know, Uganda is full of situations where we can compromise ourselves and others will not condemn us for it. Many times the easiest thing to do is to pay a bribe in order to make something happen. It is hard to take a stand against corruption. As was the case with Job, your friends, your clients and perhaps even your spouse will wonder why you would want to make your life for the sake of integrity.

How is it possible to stand up like Job against the pressure of this world? As Michael Schutt says, the integrity of Job is built on the foundation of Job’s knowledge of God. Job knows that God is the sovereign Lord of the Universe at all times. If we truly know and understand who God is we have no real choice but to walk in obedience with God. We know that trusting in God is the right decision.

**Journal Entry Assignment**

Think of someone you know who involved in the practice of law or in politics that you consider to be a person of integrity. What elements of integrity described in Chapter 5 does this person exemplify?

*Note: You can choose to write the journal entry assignment for Chapter 5 or Chapter 6 for Session 13 of the Course.*
Chapter Guide on Chapter 6: *Unity and the Integrated Lawyer*

**Before You Begin**

This Chapter is about unity. It is about how many Christians tend to keep their Christian identity compartmentalized. In the American context we see this by people acting one way in non-religious settings and other ways in religious settings. This is common in Uganda as well.

The distinctive aspect of the American setting is the way that Christianity and other religious are kept out of the public sphere. The United States is known for its legal doctrine of “separation of church and state.” In Uganda we do not experience the same cultural dynamic. Ugandan Christians are largely free to pray and discuss their faith in most any secular setting. Therefore there is an aspect of this chapter that does not apply as strongly in Ugandan.

Nonetheless the more important theme of personal hypocrisy and changing morality based on roles and context certainly applies in Uganda. There is much to learn from this chapter.

**For God and My Country**

What about Uganda? Are Ugandans facing a Western-style existential crisis? According to the Pew Forum on Religion and Public Life 86% of Ugandans say that religion is a very important in their lives and 64% of Christian Ugandans favour making the Bible the official law of the land.¹

Perhaps in Uganda we see more of a sense of powerless and fatalism instead of doubt and disbelief. Most Ugandans do not believe that “God is Dead.” However, many Ugandans feel powerless to change their lives and their society. Many Ugandan feel useless.

The net effect of powerlessness and fatalism can be quite the same as existentialism. It can result in a failure to act in a manner that takes God’s promises to heart. A lack in faith in God’s power and faithfulness is not very different from a lack of faith in God.

**Journal Entry Assignment**

Do lawyers have the power to change culture? If they do, how? If they do not, why not?

*Note: You can choose to write the journal entry assignment for Chapter 5 or Chapter 6 for Session 13 of the Course.*

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Chapter Guide on Community and Trinitarian Lawyering Chapter 7:

Before You Begin

On page 117 of *Redeeming Law* Michael Schutt references the “Lone Ranger.” The Lone Ranger was an character who appeared on American Westerns. He wore a black mask and he always rode alone until he met up with his Native American side kick named Tonto. The Lone Ranger is symbolic of rugged American individualism.

Americans have always held individualism in high esteem and have often looked askance at communitarian values. This tendency was exemplified in the derision with which many Americans responded to the title of Hillary Clinton’s book *It Takes a Village*. Many critics of Clinton scoffed at her sentiments and Republican presidential candidate Bob Dole famously said that “it takes a family to raise a child.” *Ubuntu* is not considered a core value in the American setting.

The American law student is a bit of a “Lone Ranger.” The American law school setting is highly competitive. Papers are marked on a curve instead of against an objective standard. One must outperform one’s peers to do well. The highly charged, competitive atmosphere is the reason that Schutt describes the American law school experience as a long walk up Mount Doom without Sam Gamgee. (Note: one must read or watch the *Lord of the Rings* trilogy to truly understand this metaphor.) In Ugandan law schools a student’s experience tends to be more collaborative and social.

For God and My Country

In this chapter Michael Schutt focuses on the importance of community to the life of a Christian advocate. For Christian advocates seeking to live lives that reflect the highest ideals of Christian integrity, cultivating and belonging to a strong Christian community of believers is an essential ingredient to this process.

In Uganda, a strong sense of community often exists in the context of one’s tribe. Tribes, or stated another way, social groups or units comprised families, clans, and others adopted into the group, have for generations been the primary mode of communicating beliefs and ordering conduct and maintaining cultural expressions. The diversity of tribes within Uganda means there is a diversity of streams of thought and action related to religious beliefs and ethical and moral practices. For the Ugandan Christian advocate, there may be times when one’s allegiance to one’s tribe can conflict with one’s Christian ethics and practice.

There are times when the loyalty expected to be rendered to one’s Acholi cousin or Buganda employer may conflict with the overarching principles of Christian community. Such principles are contained in scriptures such as "But you are a chosen people, a royal priesthood, a holy nation, a people belonging to God, that you may declare the praises of him who called you out of darkness into his wonderful light (1Peter: 2:9) and “Consequently, you are no longer foreigners and aliens, but fellow citizens with God’s people and members of God’s household”.

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3 Ephesians 2:19, King James Translation
Characteristics of Community
For Schutt, true community or koinoia fellowship should be found in the body of Christ and is the place where Christian believers... “share in the give and take of mutually beneficial gifts, confess one’s sins to one another and are accountable to one another in love.”

In the Ugandan context, Schutt’s concept of community can be viewed through the prism of the South African word—Ubuntu. Ubuntu is a Zulu word that literally means, “I am because we are and because we are, I am.” The word reflects an African philosophical and theological worldview that provides a framework for spiritual and social relationships and conduct. Ubuntu embraces the importance of community as articulated by Schutt, and can also find itself in the concept he calls “communion of the saints.”

Communion of the Saints
From the perspective of Ubuntu, “a person is a person through other persons” 4Taken literally, a person is a person through other persons including ancestors. Ubuntu is at its roots a humanistic philosophy that does not explicitly recognize the redemptive role that Jesus Christ plays in the life of the Christian believer and thus the Christian advocate. However, there have been attempts to harmonize the religious and philosophical underpinnings of Ubuntu with traditional biblical foundations; a process that can provide guidance to the Ugandan Christian advocate who finds him or herself seeking to honor relationships in the spirit of Ubuntu, and, uphold sound biblical principles of community.

Bishop Desmond Tutu, the South African clergyman and anti-apartheid activist has attempted to marry Ubuntu’s emphasis on the interconnectedness and dependence of individuals with the Christian narrative of relational dependence. This narrative is revealed first in the Trinity: Father, Son and Holy Spirit, and second in the relationship between Adam and Eve, the first family. Tutu states that Ubuntu is a “theological concept in which human beings are called to be persons because they are made in the image of God and created by God to be interdependent” 5

At the intersection of Ubuntu and Christianity, Ugandan Christian advocates who have experienced the trials and tribulations related to the process of cultivating lives and practices reflective of Christian integrity, should be well springs from which young Ugandan advocates can draw upon for spiritual and practical wisdom and direction.

Advocates and Community
In order to benefit from the interconnectedness or Ubuntu in the Christian sense that comes from authentic relationships with Christian believers, advocates need to be practically connected to specific communities of advocates. Schutt encourages advocates to join Christian legal associations and or groups where they can establish relationships that provide accountability and safety. It is in the context of these “safe havens” that the Christian advocate may safely discuss issues that may challenge his or her integrity personally and or professionally.

In Uganda, organizations like the Uganda Christian Law Fraternity seek to uphold biblical principles of justice and mercy through the lives of advocates and in the legal system. Christian legal societies can be a valuable source of Christian community.

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Schutt also encourages advocates to connect with others outside of the legal community, particularly within the context of the local church or congregation. In local congregations perspectives of those from outside of the legal profession, such as plumbers, electricians, doctors, teachers, pastors, etc., can be shared with the advocate for the enrichment of all. He also encourages advocates to share and even educate their pastors on the unique challenges advocates face in the legal workplace.

In Uganda, advocates daily face challenges to their integrity from employees connected to their individual practices to employers in different sectors of society. Unlike in some other parts of the world, strong local congregations are accessible and readily available for Ugandan advocates. Therefore, in keeping with Schutt’s advice, to counter the pressures of moral and ethical temptations that may and often do confront Ugandan advocates, they are encouraged to seek out and establish strong and accountable relationships in the local church.

**Journal Entry Assignment**

What can be done to promote Christian community among Christian lawyers in Uganda?

*Note: You can choose to write the journal entry assignment for Chapter 7 or Chapter 8 for Session 15 of the Course.*
Chapter Guide on Chapter 8: *Truth and the Integrated Lawyer*

**Before You Begin**

This chapter does not require much in terms contextualization.

Michael Schutt makes a reference to a “don’t ask, don’t tell” policy on page 136. This was the policy adopted by President Bill Clinton where homosexual members of the armed forces were officially not allowed, but the policy was not to ask anyone and not to tell anyone about your sexual preferences.

**For God and My Country**

*Hiding Behind the System:*

Michael Schutt mentions the tendency of “hiding behind the system.” (pg. 136) In the American system this means the tendency to say that one is not ethically accountable for ethical obligations that arise outside of one’s role. In the context of adversarial litigation this approach allows advocates to represent their clients vigorously without regard to the larger implications of an advocate’s actions. We certainly see these phenomena at work in Uganda.

In addition, we see another form of “hiding behind the system” in Uganda. Advocates in Uganda note that their legal system is developing or is broken. Therefore, in order to effectively operate in such a system the advocate must be willing to act in a way that others consider immoral. They justify acts of corruption such as paying bribes as a necessity within the system.

*The Church in Rwanda*

Michael Schutt writes about the failings of the church in Germany to act with integrity in response to the Nazi regime. In East Africa, we have our own vivid example of churches failing to stand up with integrity to social and political forces. The Rwandan genocide is full of instances where churches were complicit to the genocide or wholly passive in their response to the killings. The failure of Christians to act in accordance with the truth of the Lordship of Christ Jesus can have devastating consequences and weakens the witness of the church.

Christian advocates must live our their lives and practice in a manner consistent with the Biblical truths they claim to believe.

*Echoes of the African Revival*

If Michael Schutt was a Ugandan he surely would have mentioned the East African revival when he wrote about the importance of discipleship and transparency. Public confession of sins within Christian fellowships was one of the core spiritual disciplines of the East African Revival. Participants in the Revival were true to the Biblical call to confess one’s sins and it helped to hasten and nourish a long and sustained spiritual outpouring. Ugandan advocates should adopt a similar approach to change the legal and political
culture in Uganda. Creating an accountability and prayer group among some of your fellow law students would be a great way of putting this powerful advice in practice.

**Journal Entry Assignment**

What is your response when you see the consequences of the Fall in Genesis in the legal system? Are you tempted to withdraw? Are you tempted to use political or social power to force reform from the top down?\(^6\)

*Note: You can choose to write the journal entry assignment for Chapter 7 or Chapter 8 for Session 15 of the Course.*

\(^6\) This journal entry assignment is taken directly from the “For Further Thought” section for Chapter 8 on page 150 of *Redeeming Law*
Chapter Guide on Chapter 9: Integrity in Practice: Spiritual Disciplines

Before You Begin

Chapter 9 is straightforward and does not require any contextualization. Enjoy the chapter.

For God and My Country

In this chapter, Michael Schutt merges the principles discussed in previous chapters on integrity with practical examples on how to integrate these principles into an advocate’s everyday life and work. He reiterates the purpose of Redeeming Law is to encourage Christian advocates and law students to live integrated lives of integrity in every aspect of life. As principles of Christian integrity penetrate the life and practice of a Christian advocate, he or she will be better able to overcome the stumbling blocks that can lead to sin, and, ultimately to an unfulfilling life.

The chapter identifies three major commitments that should be integrated into the advocate’s life to assist in living an integrated life of integrity. These commitments are to: unity of knowledge, belief and action; life in community and commitment in truth. To aid in fulfilling these commitments, Schutt advises the advocate to intentionally practice core spiritual disciplines. He uses the life of Daniel from the bible as an example of a person who could be described as a lawyer in biblical times, and more importantly, as a person who “practiced law” in the midst of a culture at odds with biblical values.

Daniel was set apart by God in Babylon to learn and serve the ways of power. However, he was also a practitioner of the classic spiritual disciplines of fasting, prayer and study. A discipline is defined as “any activity within our power that we engage in to enable us to do what we cannot do by direct effort….” The purpose of spiritual disciplines according to Schutt are to assist Christians to overcome thoughts, actions and habits that are contrary to the plan and purpose of God for our lives. Schutt notes that too often Christians seek to manage their behavior in order to appear godly or look like “good Christians.” However, spiritual disciplines will help to transform an individual from the inside out; not just changing outward behavior, but rather transforming the mind as well.

Schutt focuses specifically on three spiritual disciplines that he has adapted from classic spiritual disciplines. He calls these specific disciplines, “advocate disciplines;” vehicles to assist the Christian advocate in practicing the commitments to integrity.

The “advocate disciplines” that Schutt identifies in this chapter are: outward discipline, corporate discipline and inward discipline. As an example of the outward discipline he discusses Daniel’s decision to eat food that he believes will please God rather than man (Daniel 1:8). Daniel made this decision based on his understanding of the culture and what he believed was in keeping with God’s requirements. He used wisdom in discussing his decision with those in authority in the king’s court. The application for Christian advocates in Uganda and elsewhere is that they should study the word of God to be able to discern whether their actions are in line or out of line with God’s requirements.

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In Uganda it is not uncommon to find a mixture of Christian and African traditional influences in the culture. Law is a culture-making profession according to Schutt and therefore, Ugandan advocates need wisdom to discern whether situations they face in the culture conflict with biblical principles. This wisdom will come from study and time spent with the Lord, just as it did for Daniel.

The second advocate discipline is the “corporate discipline.” This discipline involves the cultivation of community. Daniel did not challenge the king’s food requirements by himself, although he had to muster the courage himself to do so. He had godly friends; individuals who had a similar worldview and commitment to do the Lord’s will who walked with him in his decision.

For advocates in Uganda this story reflects the need to have Christian friends and acquaintances of like mind and spirit. The type of company one keeps can either help or hinder a believer in living a life of Christian integrity. As noted in earlier chapters, fellowship with other believers is important. Church and Christian legal membership organizations can be important sources for identifying people of like mind and faith.

The third discipline is the “individual discipline.” The key to this discipline is relationship with the Lord. Daniel had a strong relationship with God that was nurtured through time spent in prayer and study. In the midst of the busyness of one’s law practice where time is money and demands on one’s time are great, it is still necessary to set aside some time in the day for the Lord.

It is in the place of quiet meditation upon God’s word and communion with the Holy Spirit, that revelation and guidance can flow to the advocate. Needed direction about one’s practice or what to do about a troublesome client can be revealed to the advocate as he or she spends time seeking Him first. As simplistic as it may sound, many of the things that vie for the advocate’s time, attention and desires, bringing with them undo pressure and anxiety, can be addressed or at least minimized by doing this: “seek ye first the kingdom of God and His righteous, and all things shall be added unto you.”

Journal Entry Assignment

On page 158 of Redeeming the Law Michael Schutt writes that “(t)he West is the West by virtue of the consequences to ordinary life and thought brought about by such things as the rule of law, the Magna Carta, and trial by jury, to name a few.” Please write a journal entry that begins: “Uganda is Uganda by the virtue of . . .” In your journal entry make sure to address the moral, ethical and legal climate of Uganda.

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8 Mathew 6:33 KJV
Chapter Guide on Chapter 10: *Professional Identity, Integrity and Modernity*

**Before You Begin**

America is the source of most of the world’s lawyer jokes. Many Americans hold lawyers in low esteem. There are a variety of reasons for this.

First, there is a glut of lawyers in the United States. There are well over 1 million lawyers in America. With too many lawyers, there are many instances where lawyers get involved in matters that do not warrant their involvement. In addition there are many instances where a lawyer might be needed, but the lawyer spends too much time on the matter and often finds a way to overcomplicate it. The results are extra fees and needless delays. This results in people not liking lawyers.

In addition, lawyers in America have fallen into disrepute based on what they do. One high profile version of the American lawyer is known as the “plaintiffs lawyer.” Many plaintiff’s lawyers are accomplished practitioners who work hard to represent the interest of injured and wronged clients. However, as these lawyers get paid based on a percentage of what their clients’ recover. As a result the worse off their client is the more the lawyer has to gain. This is the reason that plaintiff’s lawyers have come to be known as “ambulance chasers.”

Other plaintiffs lawyers make their living by advertising to the public, bringing in all sorts of claims---some valid, some not---and settling them for a portion of the cost it would cost to defend the claims. This type of litigation is known as the nuisance suit and it draws the ire of people outside of the legal profession. Moreover the advertising of such lawyers tends to cheapen the image of lawyers in the community.

American lawyers are also known for doing their client’s dirty work. Whether it threatening a former business partner, fighting with a client’s ex-spouse or denying the rightful charges of a client’s guilt, lawyers are associated with dubious tasks. Certainly many of these dynamics are in play in Uganda as well.

In Uganda the people’s favorite mantra is “lawyers are liars.” In America people tend to believe that lawyers do not make their living by lying. However, many Americans view lawyers as slippery and morally suspect characters who are skilled in hiding and misrepresenting the truth without lying *per se*. Americans do not believe that most lawyers pay bribes or lie in court. But they do not see them as untruthful in the broader sense.

**For God and My Country**

Understanding why there are so many lawyer jokes in America is a pretty easy concept to grasp. Such is not the case when it comes to grasping the concept of post-modernism. In the United States, post-modernism is a common description of society. Schutt tends to see post-modernism as a continuation of modernism. Others disagree with this assessment. According to the Oxford Dictionary of Philosophy “Modernism” has been defined as “(g)enerally, any movement or climate of ideas, especially in the arts, literature, or architecture, that supports change, the retirement of the old or traditionalism, and the forward march of the avant-garde. More specifically, adherence to the ideas and ideals of
the Enlightenment. This is the sense that gives rise to the contrary movement of postmodernism.”

That same Oxford Dictionary of Philosophy defines postmodernism as follows:

In the culture generally postmodernism is associated with the playful acceptance of surfaces and superficial style, self-conscious quotation and parody, and a celebration of the ironic, the transient, and the glitzy. It is usually seen as a reaction against the naive and earnest confidence in progress, and against confidence in objective or scientific truth. In philosophy, therefore, it implies a mistrust of the grand recits of modernity: the large scale justifications of western society or the confidence in its progress visible in Kant, Hegel or Marx, or arising from utopian visions of perfection achieved through evolution, social improvement, education, or the deployment of science. In its poststructuralist aspects it includes a denial of any fixed meaning, or any correspondence between language and the world, or any fixed reality or truth or fact to be the object of inquiry.

Obviously that is a mouthful. Hopefully you can see from the above that “postmodernism” is hard to put in a box. From Schutt’s Christian perspective postmodernism is also directed at Christian truth that was already under attack under modernism.

Christians generally condemn the post-modern position that “all truth is relevant.” However, within post-modernism there is more freedom to still genuinely pursue your own beliefs. Now a militant anti-Christian approach is emerging in the West where adherents confront Christian beliefs. These adherents find the implications of orthodox Christian belief in the context of high profile issues such as homosexuality and the teaching of creationist perspectives in school.

In Uganda postmodernism is not the same as it is in the West. In the West postmodernism was a pluralistic response to the dismissal of beliefs that are not grounded in science. Uganda never experienced the same movement. Instead in Uganda traditional beliefs were simultaneously replaced by both the traditional religious beliefs and scientific approach of the West. Modern technology did not arrive associated with the rejection of Western faiths. Instead it came along with Christianity. Now Ugandans watch in wonder as they see the Christian faith diminishing among the people that brought the Christian faith here in the last century.

For Western World Christians both modernism and postmodernism are associated with an unsettling feeling of displacement the centrality of Christian thoughts and beliefs are contained and compartmentalized. Meanwhile, in Uganda the official status of Christianity continues to rise and any unsettling caused by atheistic thought in Uganda is minor compared with the drastic unsettling associated with colonialism and post-colonialism.

In Uganda the real challenge is not making Christianity relevant. Instead it is making Christianity effective. It is the challenge of seeing Ugandan Christians in leadership live in a manner that is true to the faith.

Journal Entry
What are some things that advocates in Uganda can do to improve the public perception of advocates in Uganda?
Chapter Guide on Chapter 11: Lawyers’ Vices----Lawyer’s Virtues

Before You Begin

This chapter begins will a treatment of culture of financial ambition and greed within the American legal setting. Certainly in Uganda faces far different prospects in terms of employment and salaries. While American law graduates are not guaranteed a job, most of them find gainful employment. Meanwhile many Ugandan law graduates struggle for years to find jobs. This is especially true for those that are unable to gain admission to Law Development Centre and for those who are unable to graduate from Law Development Centre.

In the United States, students are able to finance their education through government sponsored student loans. In many cases students owe huge sums at the time they finally complete their education. Michael Schutt writes a good deal about the pressure caused by this debt obligation. In Uganda there have been some efforts to establish government sponsored student loans. However, for now student loans in Uganda are difficult obtain and remain relatively small in comparison to American student loan balances.

Another item where there might be a contextual disconnect concerns security. Michael Schutt discusses the American tendency to try to have enough to be secure in ones own possessions. In Uganda it is often more of a matter of survival instead of security. Ugandans are also much more likely rely on God to meet needs and are more likely to give God credit when needs are met.

That said economic pressure is arguably stronger in Uganda than in the United States. After all, the needs in Uganda are very high and people often have to look for resources wherever they can to get by. Intense financial pressure is often cited as a root cause of the high levels of corruption in Uganda.

Finally, some contextualisation is warranted with respect to the quote from Brian Tamanaha at page 217 of Redeeming Law. Tamahana addresses the tendency of the American law school to turn law students into specialists at coming up with legal arguments no matter what the facts might be. There is a sense that law school is all about coming up with an argument and not about finding the truth. In the Uganda setting this dynamic is not as pervasive. The tendency in most Uganda law classes is learning the law as opposed to deconstructing it. However, this tendency is still there and it is certainly alive and well in the Ugandan legal profession where many advocates see their function as coming up with an argument no matter what in the hope of obtaining a better result for the client.

For God and My Country

This is a very relevant article in the Ugandan context. However, it is worthwhile to bring out a few points and stress a few others for future Ugandan advocates.

One issue that is largely absent from Chapter 11 is the “Prosperity Gospel.” In Uganda there is a major emphasis on the idea that God will reward faithful Christians financially in this world. This message is a distortion of the true Gospel message of provision. This chapter does a good job of addressing the Gospel approach in contrast with greed and
desire for self-reliance. Yes, we can look to the Lord to provide our needs, but we cannot expect for the Lord to give us more than we need or so much that we have no need to rely on his provision.

In Uganda we also have the tendency to associate outward displays of wealth as evidence of success. We hear the repeated tale of the young advocate who has found some way to drive around town expensive vehicle. Many see this as evidence that the young advocate is making a splash in the legal profession. Others see it as proof that the young advocate must be corrupt. In truth, the road to financial success within legal practice is a long one. We must start viewing the purchase of an expensive car by a young advocate as a foolish and ostentatious act as opposed to a sign of professional success.

Chapter 11 addresses stewardship. Here we need to consider what you are a steward of in your community. You might not be rich but you have been entrusted with many things. This could include certain talents, your education or your faith. You need to think about what you can be a steward of in Uganda today. Do not wait until you are rich to use the gifts and blessings you have been given.

Michael Schutt makes a very important point on page 220 of Redeeming Law. Here he notes that some Christian lawyers make the mistake of believing that they are above the ethical rules of the legal profession. This mistake is understandable because as Christians we are held to higher standards than the rest of the world. Nonetheless, we are still subject to the rules and regulations of our governing authorities. As Paul reminds us in Chapter 13 of Romans, we are all subject to earthly authority. Therefore Christian advocates must read both the Gospel of Matthew and the Advocates (Professional Conduct) Regulations. We are subject to the demands of both.

Another point worth emphasising in the Ugandan context concerns Schutt’s discussion of “insider knowledge” on page 211. Ugandan law students should immediately recognise the phenomena Schutt describes. It is common for young advocates and law students who worked at a firm in the off session to tell “war stories” of the way things really are. They describe corruption and the techniques needed to navigate through a broken system. The young people telling these stories are already falling victims to cynicism and the despair of insider knowledge. They perceive it as realism. However, in reality they have begun the process of giving up on making the system better. Moreover they are giving up on reliance on God to find a way for them to make a living while still be true to their Christian principles. They are well on their way to a disintegrated self.

On final vice worth noting is the trap of pride. In the American context people tend to take pride in performance. In Uganda there is a great deal of pride associated with position, lifestyle and education. It is important to guard against the tendency to treat people with less respect based your relative position. If we consider how God values people we will be quick to realise how wrong it is to treat someone with disrespect or disdain because they have not obtained your level of education or your position in this earthly realm. We must guard ourselves vigilantly against the sin of pride.

Journal Entry

How do you plan on assessing your own personal success in life?
Chapter Guide on Chapter 12: *Law and Truth*

**Before You Begin**

This is a long and challenging chapter. This chapter takes on the weighty but necessary challenge of informing the reader how faith can be integrated with the law. For the most part the principles of the chapter apply equally in the American and Ugandan setting.

**For God and My Country**

This chapter takes the text in 1 Corinthians, Chapter 6 seriously. How can a lawyer practice law when Paul places a moratorium on legal cases between believer? This challenge seems even steeper in the Ugandan setting where 85% of the population claims to be Christian.

Reformation theologian John Calvin developed his own Biblically based standard for Christians to employ in the context of litigation. As you read it below, please consider whether you believe that Calvin’s standard could work for Christian advocates in modern-day Uganda.

> *Let such persons [zealous litigations] then understand that judicial proceedings are lawful to him who makes right use of them; and the right use, both for the pursuer and for the defender, is for the latter to present himself on the day appointed and without bitterness, urge what he can in his defence, but only with the desire of justly maintaining rights; and for the pursuer, when undeservedly attacked in his life and fortunes, to throw himself on the protection of the magistrate, state his complaint, and demand what is just and good; while far from any wish to hurt or take vengeance --- far from bitterness or hatred ---- far from the ardour of strife, he is rather disposed to yield and suffer somewhat than to cherish the hostile feelings towards his opponent.*


**Questions and Exercise**

Paul comes into your office one afternoon and tells you he needs to sue someone for violating a written agreement. In the course of telling you the factual background, he says “I would have thought better of Donald. We’ve gone to church together all these years.”

Does this statement raise any issues for you as Paul’s lawyer? Write a journal entry describing how you would advise him regarding lawsuits between believers.

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This journal entry assignment is derived from a classroom hypothetical appearing on page 250 of *Redeeming Law.*